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**Federal Communications Commission**

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Valley Christian Radio Corp.	)	File No. EB-11-PO-0094
Licensee of Station KFYL-LP	)	
	)	
Facility ID # 135215	)	
	)	
La Grande, Oregon	)	NOV No. V201132920027

**NOTICE OF VIOLATION**

**Released: August 31, 2011**

By the Resident Agent, Portland Resident Agent Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,<sup>1</sup> to Valley Christian Radio Corp., licensee of radio station KFYL-LP in La Grande, Oregon. This Notice may be combined with a further action, if further action is warranted.<sup>2</sup>

2. On August 11, 2011, an agent of the Enforcement Bureau's Portland Office inspected radio station KFYL-LP located at 2702 Adams Avenue, La Grande, Oregon 97850, and observed the following violations:

- a. 47 C.F.R. § 11.15: "EAS Operating Handbook - The EAS Operating Handbook states in summary form the actions to be taken by personnel at EAS Participant facilities upon receipt of an EAN, an EAT, tests, or State and Local Area alerts. It is issued by the FCC and contains instructions for the above situations. A copy of the Handbook must be located at normal duty positions or EAS equipment locations when an operator is required to be on duty and be immediately available to staff responsible for authenticating messages and initiating actions." At the time of the inspection on August 11, 2011, Valley Christian Radio Corp. did not have the EAS Operating Handbook at the normal duty position and at the EAS equipment location.
- b. 47 C.F.R. § 11.61(b): "Entries shall be made in EAS Participant records, as specified in §§ 11.35(a) and 11.54(b)(13)." KFYL-LP could not produce any EAS logs during an inspection on August 11, 2011.

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<sup>1</sup>47 C.F.R. § 1.89.

<sup>2</sup>47 C.F.R. § 1.89(a).

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3. As the nation's emergency warning system, the Emergency Alert System is critical to public safety, and we recognize the vital role that broadcasters play in ensuring its success. The Commission takes seriously any violations of the Rules implementing the EAS and expects full compliance from its regulatees. Pursuant to Section 403 of the Communications Act of 1934, as amended,<sup>3</sup> and Section 1.89 of the Commission's Rules, we seek additional information concerning the violations and any remedial actions the station may have taken. Therefore, Valley Christian Radio Corp., must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response (i) must fully explain each violation, including all relevant surrounding facts and circumstances, (ii) must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and (iii) must include a time line for completion of any pending corrective action(s). The response must be complete in itself and must not be abbreviated by reference to other communications or answers to other notices.<sup>4</sup>

4. In accordance with Section 1.16 of the Commission's Rules, we direct Valley Christian Radio Corp. to support its response to this Notice with an affidavit or declaration under penalty of perjury, signed and dated by an authorized officer of Valley Christian Radio Corp. with personal knowledge of the representations provided in Valley Christian Radio Corp.'s response, verifying the truth and accuracy of the information therein,<sup>5</sup> and confirming that all of the information requested by this Notice which is in the licensee's possession, custody, control, or knowledge has been produced. To knowingly and willfully make any false statement or conceal any material fact in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>6</sup>

5. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

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<sup>3</sup>47 U.S.C. § 403.

<sup>4</sup>47 C.F.R. § 1.89(c).

<sup>5</sup>Section 1.16 of the Commission's Rules provides that "[a]ny document to be filed with the Federal Communications Commission and which is required by any law, rule or other regulation of the United States to be supported, evidenced, established or proved by a written sworn declaration, verification, certificate, statement, oath or affidavit by the person making the same, may be supported, evidenced, established or proved by the unsworn declaration, certification, verification, or statement in writing of such person . . . . Such declaration shall be subscribed by the declarant as true under penalty of perjury, and dated, in substantially the following form . . . : 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)'." 47 C.F.R. § 1.16.

<sup>6</sup>18 U.S.C. § 1001 *et seq.* See also 47 C.F.R. § 1.17.

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Portland Resident Agent Office  
P.O. Box 61469  
Vancouver, WA 98666-1469

6. This Notice shall be sent to Valley Christian Radio Corp. at its address of record.

7. The Privacy Act of 1974<sup>7</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance.

FEDERAL COMMUNICATIONS COMMISSION

Binh Nguyen  
Resident Agent  
Portland Resident Agent Office  
Western Region  
Enforcement Bureau

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<sup>7</sup>P.L. 93-579, 5 U.S.C. § 552a(e)(3).